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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,145	06/24/2000	Michael Cortopassi	PALM-2933	6681

7590 09/30/2004

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San Jose, CA 95113

EXAMINER

ZAND, KAMBIZ

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/605,145

Applicant(s)

CORTOPASSI ET AL.

Examiner

Kambiz Zand

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 07/22/2004 has been entered.

2. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.

3. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.

4. Claims 1, 12 and 21-28 have been amended.

5. Claims 1-30 are pending.

### ***Response to Arguments***

6. Applicant's arguments with respect to the claims 1, 12 and 21 have been considered but they are not persuasive.

After further consideration of amended claims Examiner makes the following remarks:

**Claims 1 and 21:**

- fig.3 disclose appliance circuit that includes radio, cell phone, cordless phone, pager where they all energized if they are located within the range of the signal frequency of the field; and
- fig.12 disclose block 155 where the appliance circuit are optional; and
- fig.16 disclose if a device is within a range of the signal; col.5, lines 41-65 where Hall disclose the invention is realized as an integrated circuit.

**Claim 12:**

- col.55-65 disclose portable computer system such as PDA, computer.
- Col.5, lines 28-40 disclose having personalized data such as id codes; and col.7, lines 8-22 disclose transmission of the code by signal.

***Claim Rejections - 35 USC § 102***

7. **Claims 1-8, 12-18 and 20-28** are rejected under 35 U.S.C. 102(b) as being anticipated by Hall et al (5,898,831 A).

**As per claims 1 and 21** Hall et al (5,898,831 A) teach a non-contact security system and a method comprising: an entryway; a portable computing device (see fig.7 where the item 64 describes the security features of a device that contains number of fields such as peer id; or fig.8 and 9 where security feature of enabling or disabling with respect to unlock or access and lock (deny access) is disclosed where the entryway is the lock or access point),

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comprising a radio frequency identification integrated circuit that outputs a radio frequency signal containing a security code in response to being located within a radio frequency signal field where said radio frequency identification integrated circuit picked up radio frequency energy to become energized to output said radio frequency signal (see fig.2-4, 15 and 16 where personal device 121 transmit radio frequency signal to the car's door and where the device is within range of door range where the security code is electronic codes unique to the car as disclosed in col.12, lines 27-31; col.4, lines 8-20 disclose the use of radio frequency as an option for wireless communication may be employed; and col.5, lines 28-36 where ID, codes or passwords or PIN is being used as security code), said radio frequency identification integrated circuit is inactive except when located within said radio frequency signal field; a reader device that outputs said radio frequency signal field and receives said radio frequency signal (It is inherent in the art; as an example a remote car only is activated when it is within a range that the car door's reader is able to acknowledge its frequency receipt), said reader device outputs a release signal if said security code is authorized (see fig.16, item 215 and 216; col.12, lines 31-40); and a locking mechanism that unlocks said entryway upon receipt of said release signal (see fig.16, item 216; col.12, lines 31-38; col.7, lines 55-58 where it unlock a secure passageway and fig.8-9).

**As per claims 2-5, 13-16 and 23-27** Hall et al (5,898,831 A) teach the system and a method as described in claims 1, 12 and 21, wherein said computing device comprises a PDA, pager, portable phone, laptop computer, calculator, a radio frequency identification tag or a portable device (see fig.3; col.5, lines 54-65).

**As per claims 6-7, 17 and 22** Hall et al (5,898,831 A) teach the system and a method as described in claims 1, 12 and 21, wherein said code/password is unique or common (see where the security code is electronic codes unique to the car as disclosed in col.12, lines 27-31; col.4, lines 8-20 disclose the use of radio frequency as an option for wireless communication may be employed; and col.5, lines 28-36 where ID, codes or passwords or PIN is being used as security code).

**As per claim 8** Hall et al (5,898,831 A) teach the system, method as described in claim 1, wherein said radio frequency identification integrated circuit is incorporated with a snap-on adapter fabricated to couple to said portable computing device (see fig.2-4; col.5, lines 54-65).

**As per claim 12** Hall et al (5,898,831 A) teach a docking station security system, said system comprising: an entryway; a docking station; a portable computer system that outputs a signal containing a password after slid into said docking station, wherein said docking station receives and outputs said

signal; a reader device receives said signal from said docking station, said reader device outputs a release signal if said password is authorized; and a locking mechanism that unlocks said entryway upon receipt of said release signal (see fig.2-46, 8-9; 15-16; col.5, lines 54-67; col.12, lines 31-38; col.7, lines 55-58; col.12, lines 27-31; col.4, lines 8-20 disclose the use of radio frequency as an option for wireless communication may be employed; and col.5, lines 28-36 where ID, codes or passwords or PIN is being used as security code and as applied to claim 1 above).

**As per claim 18** Hall et al (5,898,831 A) teach the system as described in claim 12 wherein said docking station comprises a mechanical and electrical interface for interfacing with a communication interface of said portable computer system (see fig.2).

**As per claim 20** Hall et al (5,898,831 A) teach the system, method as described in claims 12 wherein said docking station enables communication between said portable computer system and said reader device (see fig.1-4; col.5, lines 1-67).

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:



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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 9** is rejected under 35 U.S.C. 103(a) as being unpatentable over Hall et al (5,898,831 A).

**As per claim 9** Hall et al (5,898,831 A) fabrication of snap-on adapter from plastic, nylon, or carbon fiber is well known in the art, such as badge, smart card, smart card type modem and remote control. It would have been obvious to one of ordinary skilled in the art at the time the invention was made to fabricate the Hall's portable computing devices from plastic, nylon or carbon fiber in order to have cheap, light and non-conductivity insulated devices..

3. **Claims 10-11, 19 and 29-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hall et al (5,898,831 A) in view of Win et al (6, 182,142 B1).

**As per claims 10-11, 19 and 29-30** Hall et al (5,898,831 A) teach all limitation of the claims as applied to claims 1, 12 and 21 above but do not disclose explicitly tracks the time and date said portable computing device enters said entryway and creating a personal log documenting said portable computing device ingress and egress of said entryway. However Win et al (6, 182,142 B1) teach tracks the time and date said portable computing device enters said entryway and creating

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a personal log documenting said portable computing device ingress and egress of said entryway (see abstract; col.col.3, lines 15-21; col.6, lines 7-16; col.10, lines 6-24 where the date of successful login or entry access or non successful time and date are recorded and monitored in a log). It would have been obvious to one of ordinary skilled in the art at the time the invention was made to utilize Win et al login monitoring system in Hall's portable computing device access system in order to record access time and date of a portable computing device entryway such as car remote key entry access of fig.15-16 of Hall).

### **Conclusion**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone number is (703) 306-4169. The examiner can normally reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned as (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kambiz Zand

09/16/04